

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

FERNANDO GASTELUM,

Plaintiff,

v.

TILLY'S INC.,

Defendant.

Case No. 1:22-cv-00178-ADA-BAK (BAM)

ORDER SETTING SETTLEMENT  
CONFERENCE AND SETTLEMENT  
INSTRUCTIONS

Date: **December 12, 2022**

Time: 9:30 AM

Courtroom: Courtroom 8 (BAM)

This case is SET for a Settlement Conference on **December 12, 2022, at 9:30 AM in Courtroom 8 (BAM)** before the undersigned. The attorneys who will try the case along with the parties and the person or persons having full authority to negotiate and settle the case, on any terms, shall appear **remotely** via Zoom at the conference.

Counsel for the parties shall contact Courtroom Deputy Esther Valdez at (559) 499-5788 or evaldez@caed.uscourts.gov for the video and dial-in information for all parties.

No later than **seven (7) days** prior to the settlement conference, each party shall submit directly to Judge McAuliffe's chambers at bamorders@caed.uscourts.gov, a confidential settlement conference statement. This statement should neither be filed with the clerk of the Court nor served on any other party. Each statement shall be clearly marked "CONFIDENTIAL" with the date and time of the mandatory settlement conference indicated prominently.

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1 The settlement statement should not be lengthy but shall include a brief recitation of the  
2 facts, a discussion of the strengths and weaknesses of the case, an estimate of the cost and time  
3 to be expended for further pretrial and trial matters, and the relief sought. The parties are also  
4 directed to include a candid statement on the party's position on settlement, including the  
5 amount which the party will accept to settle, realistic settlement expectations, present  
6 settlement proposals, and a history of past settlement discussions, offers, demands, and a report  
7 on settlement efforts to date.

8 This Court will vacate the settlement conference if the Court finds the settlement  
9 conference will be neither productive nor meaningful to attempt to resolve all or part of this  
10 case. As far in advance of the settlement conference as possible, a party shall inform the Court  
11 and other parties that it believes the case is not in a settlement posture so the Court may vacate  
12 or reset the settlement conference. Otherwise, the parties shall proceed with the settlement  
13 conference in good faith to attempt to resolve all or part of the case.

14  
15 IT IS SO ORDERED.

16 Dated: September 13, 2022

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE